

Daily Digest

HIGHLIGHTS

Senate and House agreed to the Conference Report to accompany H. Con. Res. 95, Budget Resolution.

Senate agreed to S. Con. Res. 29, Adjournment Resolution.

Senate

Chamber Action

Routine Proceedings, pages S4445–S4609

Measures Introduced: Forty-four bills and seven resolutions were introduced, as follows: S. 933–976, S. Res. 128–132, and S. Con. Res. 29–30.

Pages S4546–47

Measures Reported: Report to accompany S. 907, to amend chapter 53 of title 49, United States Code, to improve the Nation's public transportation and for other purposes. (S. Rept. No. 109–62)

S. 136, to authorize the Secretary of the Interior to provide supplemental funding and other services that are necessary to assist certain local school districts in the State of California in providing education services for students attending schools located within Yosemite National Park, to authorize the Secretary of the Interior to adjust the boundaries of the Golden Gate National Recreation Area, with amendments. (S. Rept. No. 109–63)

S. 661, to amend the Internal Revenue Code of 1986 to provide for the modernization of the United States Tax Court, with an amendment in the nature of a substitute. (S. Rept. No. 109–64) **Page S4545**

Measures Passed:

Commending Judge Annice M. Wagner: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. Res. 107, commending Annice M. Wagner, Chief Judge of the District of Columbia Court of Appeals, for her public service, and the resolution was then agreed to. **Pages S4445–46**

Public Service Recognition Week: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. Res. 108, expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Serv-

ice Recognition Week, May 2 through 8, 2005, and the resolution was then agreed to. **Pages S4446–47**

Smithsonian Institution Board of Regents: Committee on Rules and Administration was discharged from further consideration of H.J. Res. 19, providing for the appointment of Shirley Ann Jackson as a citizen regent of the Board of Regents of the Smithsonian Institution, and the resolution was then agreed to. **Page S4447**

Smithsonian Institution Board of Regents: Committee on Rules and Administration was discharged from further consideration of H.J. Res. 20, providing for the appointment of Robert P. Kogod as a citizen regent of the Board of Regents of the Smithsonian Institution, and the resolution was then agreed to. **Page S4447**

Adjournment Resolution: Senate agreed to S. Con. Res. 29, providing for a conditional adjournment or recess of the Senate. **Page S4479**

Celebrating Young Americans: Senate agreed to S. Res. 128, designating April 30, 2005, as “Día de los Niños: Celebrating Young Americans”. **Pages S4602–04**

Commending Virginia Retail Merchants Association: Senate agreed to S. Res. 129, commending the Virginia Retail Merchants Association on 100 years of service to the community. **Pages S4602–04**

North American Occupational Safety and Health Week: Senate agreed to S. Res. 130, designating the week of May 1 through May 7, 2005, as “North American Occupational Safety and Health Week (NAOSH)”. **Pages S4602–04**

Commemorating Law Enforcement Officers: Senate agreed to S. Res. 131, commemorating and acknowledging the dedication and sacrifice made by the men and women who have lost their lives while serving as law enforcement officers. **Pages S4602–04**

National Better Hearing and Speech Month: Committee on Health, Education, Labor, and Pensions was discharged from further consideration of S. Res. 121, supporting May 2005 as "National Better Hearing and Speech Month" and commending those States that have implemented routine hearing screenings for every newborn before the newborn leaves the hospital, and the resolution was then agreed to. **Pages S4604–05**

National Hepatitis B Awareness Week: Committee on the Judiciary was discharged from further consideration of S. Res. 117, designating the week of May 9, 2005, as "National Hepatitis B Awareness Week", and the resolution was then agreed to. **Page S4605**

Animal Fighting Prohibition Enforcement Act: Committee on the Judiciary was discharged from further consideration of S. 382, to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and the bill was then passed. **Pages S4605–06**

Recognizing Big Brothers and Sisters: Senate agreed to H. Con. Res. 41, recognizing the second century of Big Brothers Big Sisters, and supporting the mission and goals of that organization. **Page S4606**

Terrorist Organizations List: Committee on Foreign Relations was discharged from further consideration of S. Res. 82, urging the European Union to add Hezbollah to the European Union's wide-ranging list of terrorist organizations, and the resolution was then agreed to, after agreeing to the following amendment to the preamble: **Page S4606**

Frist (for Allen) Amendment No. 596, to provide a substitute to the preamble. **Page S4606**

Intelsat Separated Entities: Senate passed S. 976, striking the specific privatization criteria in ORBIT for Intelsat Separated Entities (New Skies) and Inmarsat and Other Technical Corrections. **Page S4607**

Transportation Equity Act: Senate continued consideration of H.R. 3, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and then began consideration of the bill, taking action on the following amendments proposed thereto: **Pages S4452–63, S4465–75**

Adopted:

Thune Amendment No. 593 (to Amendment No. 567), to retain current levels of State authority over matters relating to preservation, historic, scenic natural environment, and community values. **Pages S4465–68, S4475**

Gregg (for Isakson) Amendment No. 594 (to Amendment No. 567), to require the Secretary of

Transportation to approve a certain construction project in the State of Georgia, provide for the reservation of Federal funds for the project, and clarify that the project meets certain requirements. **Pages S4475**

Rejected:

Bond Amendment No. 592 (to Amendment No. 567), to strike the highway stormwater discharge mitigation program. (By 51 yeas to 49 nays (Vote No. 113), Senate tabled the amendment.) **Pages S4453–63, S4469–75**

Withdrawn:

Bayh Amendment No. 568 (to Amendment No. 567), to amend title VII of the Tariff Act of 1930 to provide that the provisions relating to countervailing duties apply to nonmarket economy countries. **Pages S4452**

Pending:

Inhofe Amendment No. 567, to provide a complete substitute. **Pages S4452–63, S4465–75**

Salazar Amendment No. 581 (to Amendment No. 567), to modify the percentage of apportioned funds that may be used to address needs relating to off-system bridges. **Pages S4468–69**

During consideration of this bill today, Senate also took the following action:

By 98 yeas to 1 nay (Vote No. 112), Senate agreed to the motion to recess until 2 p.m. **Page S4463**

A unanimous-consent agreement was reached providing for further consideration of the bill at 2 p.m., on Monday, May 9, 2005. **Page S4607**

Concurrent Budget Resolution—Conference Report: By 52 yeas to 47 nays (Vote No. 114), Senate agreed to the conference report to accompany H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, clearing the measure for the President. **Pages S4481–S4527**

Appointments: Task Force on Slave Laborers: The Chair, on behalf of the President pro tempore, pursuant to S. Con Res. 130 (106th Congress), appointed the following individual to the Task Force on Slave Laborers: Curtis H. Sykes of Arkansas, and notes Senator Blanche Lincoln of Arkansas will serve as the designee of the Democratic Leader. **Page S4600**

U.S. Commission on International Religious Freedom: The Chair, on behalf of the President pro tempore, upon the recommendation of the Democratic Leader, pursuant to Public Law 105–292, as amended by Public Law 106–55, and as further amended by Public Law 107–228, appointed the following individual to the United States Commission

on International Religious Freedom: Most Reverend Ricardo Ramirez, C.S.B. of New Mexico for a term of two years (May 15, 2005–May 14, 2007).

Page S4600

Authorizing Leadership To Make Appointments—Agreement: A unanimous-consent agreement was reached providing that notwithstanding the adjournment of the Senate, the President of the Senate, the President pro tempore, and the Majority and Minority Leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

Page S4607

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader, Assistant Majority Leader, and Senator Warner, be authorized to sign duly enrolled bills or joint resolutions.

Page S4607

Nominations Confirmed: Senate confirmed the following nominations:

James C. Dever III, of North Carolina, to be United States District Judge for the Eastern District of North Carolina.

Robert J. Conrad, Jr., of North Carolina, to be United States District Judge for the Western District of North Carolina.

Pages S4477–79

Jonathan Brian Perlin, of Maryland, to be Under Secretary for Health of the Department of Veterans Affairs for a term of four years.

William Cobey, of North Carolina, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority for a term expiring May 30, 2010.

Nancy Ann Nord, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for the remainder of the term expiring October 26, 2005.

Nancy Ann Nord, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission for a term of seven years from October 27, 2005.

Joseph H. Boardman, of New York, to be Administrator of the Federal Railroad Administration.

Page S4600

Stephen L. Johnson, of Maryland, to be Administrator of the Environmental Protection Agency. (Prior to this action, by 61 yeas to 37 nays (Vote No. 115), Senate agreed to the motion to invoke cloture on the nomination.)

Pages S4528–29

Robert J. Portman, of Ohio, to be United States Trade Representative, with the rank of Ambassador.

(Prior to this action, the pending vote on the motion to invoke cloture on the nomination was vitiated.)

Pages S4529–33

Phyllis F. Scheinberg, of Virginia, to be an Assistant Secretary of Transportation.

Daniel Fried, of the District of Columbia, to be an Assistant Secretary of State (European Affairs). (Prior to this action, Committee on Foreign Relations was discharged from further consideration).

6 Air Force nominations in the rank of general.

101 Army nominations in the rank of general.

3 Marine Corps nominations in the rank of general.

3 Navy nominations in the rank of admiral.

Routine lists in the Air Force, Army, Marine Corps.

Pages S4600–02, S4607–09

Nominations Received: Senate received the following nominations:

Donald E. Booth, of Virginia, to be Ambassador to the Republic of Liberia.

Molly Hering Bordonaro, of Oregon, to be Ambassador to the Republic of Malta.

Julie Finley, of the District of Columbia, to be U.S. Representative to the Organization for Security and Cooperation in Europe, with the rank of Ambassador.

Richard J. Griffin, of Virginia, to be an Assistant Secretary of State (Diplomatic Security).

Richard J. Griffin, of Virginia, to be Director of the Office of Foreign Missions, and to have the rank of Ambassador during his tenure of service.

Joseph A. Mussomeli, of Virginia, to be Ambassador to the Kingdom of Cambodia.

Richard L. Skinner, of Virginia, to be Inspector General, Department of Homeland Security.

Kevin F. Sullivan, of New York, to be Assistant Secretary for Communications and Outreach, Department of Education.

Catherine Lucille Hanaway, of Missouri, to be United States Attorney for the Eastern District of Missouri for the term of four years.

Dina Habib Powell, of Texas, to be an Assistant Secretary of State (Educational and Cultural Affairs).

Page S4607

Messages From the House:

Page S4543

Measures Referred:

Page S4543

Measures Read First Time:

Page S4543

Executive Communications:

Pages S4543–45

Executive Reports of Committees:

Pages S4545–46

Additional Cosponsors:

Pages S4547–49

Statements on Introduced Bills/Resolutions:

Pages S4549–97

Additional Statements:

Pages S4541–43

Amendments Submitted: Pages S4597–99
Notices of Hearings/Meetings: Page S4599
Authority for Committees to Meet: Pages S4599–S4600

Privilege of the Floor: Page S4600

Record Votes: Four record votes were taken today. (Total—115) Pages S4463, S4474–75, S4527, S4529

Adjournment: Senate convened at 9:30 a.m. and, pursuant to the provisions of S. Con. Res. 29, adjourned at 1:26 a.m. on Friday, April 29, 2005, until 2 p.m., on Monday, May 9, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S4607.)

Committee Meetings

(Committees not listed did not meet)

BIOTERRORISM & PROJECT BIOSHIELD

Committee on Appropriations: Subcommittee on Homeland Security concluded a hearing to examine bioterrorism and Project BioShield, which is a comprehensive effort to develop and make available modern, effective drugs and vaccines to protect against attack by biological and chemical weapons or other dangerous pathogens, after receiving testimony from Penrose Albright, Assistant Secretary of Homeland Security for Science and Technology Directorate; Stewart Simonson, Assistant Secretary of Health and Human Services for Public Health Emergency Preparedness; David Franz, Midwest Research Institute, Kansas City, Missouri; Leighton Read, Alloy Ventures, Palo Alto, California; and John Clerici, McKenna Long and Aldridge, Washington, D.C.

DEFENSE AUTHORIZATION

Committee on Armed Services: Committee concluded open and closed hearings to examine defense intelligence in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Stephen A. Cambone, Under Secretary for Intelligence, and Vice Admiral Lowell E. Jacoby, USN, Director, Defense Intelligence Agency, both of the Department of Defense.

BUSINESS MEETING

Committee on Armed Services: Committee ordered favorably reported 741 nominations in the Army, Navy, Air Force, and Marine Corps.

PARKS BILLS

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine S. 242, to establish 4 memorials to the Space Shuttle Columbia in the State of Texas, S.

262, to authorize appropriations to the Secretary of the Interior for the restoration of the Angel Island Immigration Station in the State of California, S. 336, to direct the Secretary of the Interior to carry out a study of the feasibility of designating the Captain John Smith Chesapeake National Historic Watertrail as a national historic trail, S. 670, to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement, S. 777, to designate Catoctin Mountain Park in the State of Maryland as the "Catoctin Mountain National Recreation Area", and H.R. 126, to amend Public Law 89–366 to allow for an adjustment in the number of free roaming horses permitted in Cape Lookout National Seashore, after receiving testimony from Senator Sarbanes; Representative Walter B. Jones; Michael Soukup, Associate Director, Natural Resource Stewardship and Science, National Park Service, Department of the Interior; Felicia Lowe, Angel Island Immigration Station Board, San Francisco, California; and Patrick F. Noonan, The Conservation Fund, Arlington, Virginia.

BUILDING ASSETS AMONG LOW-INCOME FAMILIES

Committee on Finance: Subcommittee on Social Security and Family Policy held a hearing to examine building assets for low-income families, including the Institute for Social and Economic Development (ISED), using the private pension system and Individual Retirement Accounts (IRA's), and increasing savings, receiving testimony from Michelle Simmons, Norristown, Pennsylvania, and Dorothy Beale, Philadelphia, Pennsylvania, both of the Women's Opportunity Resource Center; Charles M. Palmer, Institute for Social and Economic Development, Des Moines, Iowa; Victoria Gonzalez-Rubio, Delmar-Harvard Elementary School, University City, Missouri; Ric Edelman, Edelman Financial Services, Inc., Fairfax, Virginia; Bernard M. Wilson, H&R Block, Kansas City, Missouri, on behalf of the Outreach and Business Development; Michael Sherraden, Washington University Center for Social Development, St. Louis, Missouri; Trina R. Williams Shanks, University of Michigan School of Social Work, Ann Arbor; Fred T. Goldberg, Jr., Skadden, Arps, Slate, Meagher and Flom, LLP, Ray Boshara, New America Foundation, David C. John, The Heritage Foundation, and J. Mark Iwry, The Brookings Institution, all of Washington, D.C.

Hearing recessed subject to the call.

DEFENSE MANAGEMENT

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government